STATE OF VERMONT

HUMAN SERVICES BOARD

In re)	Fair	Hearing	No.	B-03/08-122
)				
Appeal of)				

INTRODUCTION

The petitioner appeals the decision by the Department for Children and Families closing his Reach Up Financial Assistance (RUFA) grant because the minor child in petitioner's household will not graduate from high school before he is nineteen years of age. The facts are not in dispute. The issue is whether the Department has correctly applied the RUFA regulations.

FINDINGS OF FACT

- 1. The petitioner and his wife are both disabled and receive Social Security disability. They have legal guardianship of their grandson and receive RUFA assistance.
- 2. Their grandson was born on March 20, 1990 and is eighteen years old. He is a junior in high school. His projected graduation date is June 2009. The grandson is not disabled.
- 3. The Department seeks verification from households with children turning eighteen years of age to determine

whether the child will graduate before his nineteenth birthday. The Department sent petitioner this verification request. The petitioner supplied the above information.

4. The Department sent petitioner a notice dated March
14, 2008 notifying him that his RUFA grant would close April
1, 2008 because his grandson would not graduate before he
turned nineteen years old. Petitioner filed a timely appeal.

ORDER

The Department's decision to close petitioner's RUFA grant is affirmed.

REASONS

A primary purpose of the Reach Up Financial Assistance Program (RUFA) is to assist low income families. Welfare Assistance Manual (W.A.M.) § 2200. To qualify, the household must have a child who meets the age criterion found at W.A.M. § 2301, which states:

Eligibility criteria relative to age are established by law (33 VSA 1101 as amended) for children under the ANFC program, as follows:

An individual qualifies under the age criterion as a child if he or she is under 18. In addition, an 18 year old child is eligible if he or she is a full-time student in a secondary school . . . and is expected to complete high school or the equivalent program before reaching his or her nineteenth birthday.

The only exception to the age criterion is a disabled child who is unable to finish his or her school program before his or her nineteenth birthday. Howard v. Department of Social Welfare, 163 Vt. 109 (1994). Petitioner's grandson is not disabled and not eligible for this exception.

Based on the information petitioner supplied the Department, petitioner's grandson does not meet the age criterion for eligibility. As a result, the Department's decision to close petitioner's RUFA grant is affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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